

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

RANDALL BROCK,

Plaintiff,

v.

CASE NO. 16-CV-11457
HONORABLE GEORGE CARAM STEEH

MEGAN J. BRENNAN, Postmaster
General, U.S. Postal Service,

Defendant.

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**ORDER GRANTING PLAINTIFF'S
REQUEST FOR A VOLUNTARY DISMISSAL (DOC. 4)**

Now before the Court is Plaintiff's request that the instant "case [be] dropped or frozen, due to the fact that [Plaintiff has] not received [a] final decision from the EEOC." (Doc. 4). The Court interprets the instant request as a request for a voluntary dismissal pursuant to Federal Rule of Civil Procedure 41(a) or a stay pending exhaustion of Plaintiff's administrative remedies.

The Court finds that a stay would be inappropriate. Exhaustion of administrative remedies is a condition precedent to bringing a Title VII employment-discrimination action, *see McFarland v. Henderson*, 307 F.3d 402, 408 (6th Cir. 2002), and Plaintiff states that he has not yet exhausted his remedies. There appears to be no reason for this Court to retain jurisdiction of the instant action, as Plaintiff has no other pending claims and has not yet served Defendant. Plaintiff is, however, entitled to a voluntary dismissal without prejudice pursuant to Rule 41(a).

Therefore, IT IS ORDERED that Plaintiff's request for a voluntary dismissal is GRANTED. The instant action is DISMISSED WITHOUT PREJUDICE.

IT IS SO ORDERED.

Dated: May 2, 2016

s/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on May 2, 2016, by electronic and/or ordinary mail and also on Randall Brock, 19783 Appoline, Detroit, MI 48235.

s/Barbara Radke
Deputy Clerk